

**Federal Defenders
OF NEW YORK, INC.**

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November 24, 2020

Honorable Richard J. Sullivan
United States Circuit Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Akayed Ullah*, 18 CR 16 (RJS)

Dear Judge Sullivan:

We write to request an adjournment of the sentencing hearing in the above captioned matter, currently scheduled for December 14, 2020, to a date after the Court's decision on the pending Motion for a Judgment of Acquittal and Supplemental Motion, pursuant to Rule 29 of the Federal Rules of Criminal Procedure, filed on December 6, 2018 and September 13, 2019, ECF Nos. 73, 74 and 87, respectively.

Mr. Ullah's Rule 29 Motion seeks a judgment of acquittal on Count Six of the Indictment charging a violation of 18 U.S.C. § 924(c). The Court's decision will determine whether Mr. Ullah is subject to a consecutive 30 year mandatory minimum on Count 6. It is impossible for the defense to make a sentencing recommendation or submit a memorandum in support of that recommendation until the Court renders its decision. The defense sentencing submission is currently due on Monday, November 30, 2020.

Therefore, we respectfully request an adjournment of the sentencing hearing. We will be prepared to file the defense sentencing submission within one week of the Court's ruling.

The Government takes no position on this request for an adjournment.

Respectfully submitted,

/s/ Amy Gallicchio

Amy Gallicchio

Julia Gatto

Colleen P. Cassidy

Assistant Federal Defenders

cc: AUSAs George Turner and Rebekah Donaleski